12-11-01

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CPA /2153

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing

(Only for Continuation or Divisional Applications under 37 CFR 1.53(d))

CHECK BOX, if applicable

☐ **DUPLICATE**

Address to:	Attorney Docket No.	M-3206-1C US
COMMISSIONER FOR PATENTS	First Named Inventor	Peter C. Chen
BOX CPA	Examiner Name	Dinh, D.
WASHINGTON, DC 20231	Group/Art Unit	2153
	Express Mail Label No.	EL 710 214 146 US

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DEC 1 4 2001
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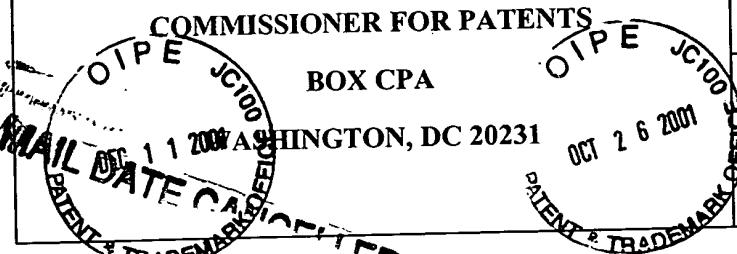
This is a request for a ☒ continuation or ☐ divisional application under 37 CFR §1.53(d), (continued prosecution application (CPA)) of prior application number 09/030,710 filed on, February 25, 1998 entitled Communications Interface And Conflict Avoidance Using A Software Simulation Of A UART.

NOTES

FILING QUALIFICATIONS: *The prior application identified above must be a nonprovisional application that is either (1) complete as defined by 37 CFR §1.51(b), OR (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. §154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.*

C-I-P NOT PERMITTED: *A continuation-in-part application cannot be filed as a CPA under 37 CFR §1.53(d), but must be filed under 37 CFR §1.53(b).*

EXPRESS ABANDONMENT OF PRIOR APPLICATION: *The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR §1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.*

ACCESS TO PRIOR APPLICATION: *The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the pubic who is entitled under the provisions of 37 CFR §1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application, or applications in the file jacket.*

35 U.S.C. 120 STATEMENT: *In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR §1.78(a).*

1. ☐ Enter the unentered amendment previously filed on ___ under 37 CFR §1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR §1.53 (d)(4).
   a. ☐ *DELETE* the following inventor(s) named in the prior nonprovisional application:

   b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/8I) is enclosed.
5. ☒ Information Disclosure Statement (IDS) is enclosed:
   a. ☒ PTO-1449;
   b. ☒ Copies of twenty-nine IDS Citations.

12/14/2001 GTEFFERA 00000021 192386 09030710

01 FC:131   740.00 CH
02 FC:103   306.00 CH
03 FC:102   504.00 CH

CLAIMS (Number Filed)	(1) FOR	(2)		(3) NUMBER EXTRA		(4) RATE		(5) CALCULATIONS
37	TOTAL CLAIMS (37 CFR 1.16(c))	-20	=	17	x	$18	=	$306.00
9	INDEPENDENT CLAIMS (37 CFR 1.16(b))	-3	=	6	x	$84	=	$ 504.00
☐	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.18(d))				+	$280.00	=	
					BASIC FEE (37 CFR 1.16(a))		=	$ 740.00
					Total of above Calculations		=	$1,550.00
				Reduction by 50% for filing by small entity (Note 31 CFR 1.9, 1.27, 1.28).			=	
						TOTAL	=	$1550.00

6. Small entity status:
   a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
   b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
   c. ☒ Is no longer claimed.

7. FEES: The Commissioner is hereby authorized to credit overpayments or charge the following fees to:
   Deposit Account No. 19-2386:
   a. ☒ Fees required under 37 CFR §1.16. (U.S. Application Filing Fees)
   b. ☒ Fees required under 37 CFR §1.17. (Conditional Extension of Time Fees)
   c. ☐ Fees required under 37 CFR §1.18. (Patent Issue Fees)

8. ☐ A check in the amount of $_____ is enclosed.

9   ☒ Other: Please find enclosed a copy of a Petition For Extension of Time that keeps the prior application pending until October 28, 2001.

NOTE:	The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label   ☐ New correspondence address below

NAME	
ADDRESS	

CITY		STATE		ZIP CODE	
COUNTRY		TELEPHONE		FAX	

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Skjerven Morrill MacPherson LLP
25 Metro Drive, Suite 700
San Jose, CA 95110
Tel. (408) 453-9200   Fax. (408) 453-7979

Date:	October 26, 2001	
Name	David C. Hsia	Reg. No. 46,235
Signature		
Express Mail Label No.	EL 710 214 146 US	

814837

Applicant: _____ Peter C. Chen

Assignee: C-Tel, Inc.

Title: Communications Interface And Conflict Avoidance Using A Software Simulation Of A UART

Serial No.: 09/030,710   Filing Date: February 25, 1998

Examiner: Dinh, D.   Group Art Unit: 2153

Docket No.: M-3206-1C US

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Technology Center 2100

San Jose, California
October 26, 2001

BOX CPA
COMMISSIONER FOR PATENTS
Washington, D. C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination on the merits, please enter the following amendments and consider the following remarks.

In the Specification

Please replace the paragraph starting at page 1, line 23, and ending at page 1, line 29, with the following replacement paragraph:

This invention relates to a computer system including a device having a non-standard I/O interface coupled to a local bus and a software emulation of a universal asynchronous receiver transmitter (UART), and further relates to processes and circuits for avoiding conflicts when assigning a COM port to a non-standard device.